

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

#### 9 CFR Parts 318 and 381

[Docket No. 93-008P/E]

RIN 0583-AB68

#### Poultry Products Produced by Mechanical Separation and Products in Which Such Poultry Products Are Used

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** On December 6, 1994, the Food Safety and Inspection Service (FSIS) proposed to amend the poultry products inspection regulations to prescribe a definition and standard of identity and composition, as well as labeling and other requirements for mechanically separated poultry products—mechanically separated (kind) (MS(K))—and requirements for meat or poultry products containing MS(K) as an ingredient. The proposed action would help ensure that meat and poultry products distributed to consumers are not labeled in a false or misleading manner and are not misbranded. FSIS has received requests to extend the comment period so that interested parties may have more time to consider the points in the proposal and to develop their comments more thoroughly. FSIS has determined that these requests should be granted and is, therefore, extending the comment period for an additional 30 days.

**DATES:** Comments must be received on or before March 6, 1995.

**ADDRESSES:** Written comments to: Policy, Evaluation and Planning Office, Attn. Diane Moore, FSIS Docket Clerk, Room 3171, South Building, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250. Oral comments should be directed to Mr. John W. McCutcheon, (202) 720-2709.

**FOR FURTHER INFORMATION CONTACT:** John W. McCutcheon, Deputy Administrator, Regulatory Programs, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, Area Code (202) 720-2709.

**SUPPLEMENTARY INFORMATION:** On December 6, 1994, FSIS published in the **Federal Register** a proposed rule (59 FR 62629) to amend the poultry products inspection regulations to prescribe a definition and standard of identity and composition for the finely comminuted poultry product that results from the mechanical separation and removal of most of the bone from poultry carcasses and parts of carcasses ("Mechanically Separated (Kind)(MS(K))"), including requirements for bone solids content (measured as calcium content) and bone particle size; to specify certain limitations for the use of MS(K); to establish recordkeeping requirements for bone solids content and bone particle size; and to establish labeling requirements for MS(K), and for poultry products and meat food products containing MS(K) as an ingredient. The proposal is intended to establish the Agency's requirements with respect to poultry products produced by mechanical separation, including the requirement that they be distinctly labeled, e.g., "mechanically separated chicken." The proposed labeling and other requirements are intended to help ensure that meat and poultry products distributed to consumers are not labeled in a false or misleading manner and are not misbranded.

The proposed rule provided extensive discussion on: the historical background relating to the development, use, and regulation of MS(K); the health and safety aspects of MS(K); the state of technology for producing MS(K); the results of analysis of comments received in response to two advance notices of proposed rulemaking (ANPR's) on MS(K) that the Agency had published, respectively, on June 15, 1993, (58 FR 33040), and, on March 3, 1994, (59 FR 10230); and the proposed regulatory requirements. The first ANPR had addressed the need for labeling poultry products containing MS(K) as an ingredient and the second had concerned definitions, standards, labeling, and other requirements for MS(K).

Interested persons were given until February 6, 1995, to submit comments on the proposed regulatory amendments. FSIS has received requests from several meat and poultry trade associations and manufacturers of processed meat and poultry products to extend the comment period for the proposal. They have asked for additional time to study and develop information on issues relating to the proposal.

FSIS considers these requests to be reasonable and is interested in receiving the additional comments that would be submitted during an extended comment period. Accordingly, the comment period for the proposal is being extended for 30 days.

Done at Washington, DC, on February 2, 1995.

**Michael R. Taylor,**

*Acting Under Secretary for Food Safety.*

[FR Doc. 95-2929 Filed 2-3-95; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 95-ASO-2]

#### Proposed Amendment of Class D and Class E4 Airspace; Louisville, KY

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This notice proposes to reduce the size of the Class D and Class E4 airspace at Louisville, KY. The VOR RWY 19 Standard Instrument Approach (SIAP) for the Louisville Bowman Field Airport has been cancelled. Therefore, a portion of the Louisville Bowman Field Class D and Class E4 airspace currently designated northnortheast of the airport is no longer needed.

**DATES:** Comments must be received on or before March 22, 1995.

**ADDRESSES:** Send comments on the proposal in triplicate to: Federal Aviation Administration, Docket No. 95-ASO-2, Manager, System Management Branch, ASO-530, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Office of the Assistant Chief Counsel for Southern Region, Room 550,

1701 Columbia Avenue, College Park, Georgia 30337, telephone (404) 305-5586.

#### FOR FURTHER INFORMATION CONTACT:

Michael J. Powderly, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 95-ASO-2." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Manager, System Management Branch, ASO-530, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No.

11-2A which describes the application procedure.

##### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to reduce the size of the Class D and Class E4 airspace at Louisville, KY. The VOR RWY 19 SIAP for the Louisville Bowman Field Airport has been cancelled. Therefore a portion of the Louisville Bowman Field Class D and Class E4 airspace currently designated northnortheast of the airport is no longer needed. Designations for Class D and Class E4 airspace are published in Paragraphs 5000 and 6004 respectively of FAA Order 7400.9B dated July 18, 1994 and effective September 16, 1994 which is incorporated by reference in CFR 71.1. The Class D and Class E4 airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

##### List of Subject in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

##### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 continues to read as follows:

##### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation

Administration Order 7400.9B, Airspace Designations and Reporting Points, dated July 18, 1994 and effective September 16, 1994, is amended as follows:

##### Paragraph 5000 Class D Airspace

\* \* \* \* \*

##### ASO KY D Louisville Bowman Field, KY [Revised]

Louisville Bowman Field, KY  
(Lat. 38°13'41" N, long. 85°39'48" W)  
Louisville Standiford Field, KY  
(Lat. 38°10'29" N, long. 85°44'11" W)

That airspace extending upward from the surface to but not including 2,200 feet MSL within a 3.9-mile radius of Bowman Field, excluding that portion within the Louisville Standiford Field Class C Airspace Area, and excluding that portion south of the 081° bearing from Standiford Field, and also excluding that portion north of Louisville Standiford Field Class C Airspace Area and west of a line drawn from lat. 38°11'28" N, long. 85°42'01" W direct thru the point where the 030° bearing from Standiford Field intersects the 5-mile radius from Standiford Field to the point of intersection with the 3.9-mile radius from Bowman Field. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airman. The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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##### Paragraph 6004 Class E Airspace Areas Designated as an Extension to Class D Surface Area

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##### ASO KY E4 Louisville Bowman Field, KY [Revised]

Louisville Bowman Field, KY  
(Lat. 38°13'41" N, long. 85°39'48" W)  
Bowman VOR/DME  
(Lat. 38°13'49" N, long. 85°39'53" W)

That airspace extending upward from the surface within 2.4 miles each side of the Bowman VOR/DME 067° radial, extending from the 3.9-mile radius of Bowman Field to 7 miles east of Bowman VOR/DME. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airman. The effective dates and times will thereafter be continuously published in the airport/Facility Directory.

\* \* \* \* \*

Issued in College Park, Georgia, on January 10, 1995.

**Michael J. Powderly,**

Acting Manager, Air Traffic Division,  
Southern Region.

[FR Doc. 95-2808 Filed 2-3-95; 8:45 am]

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